

Amendments to the Drawings:

The attached sheet of drawings includes a change to Fig. 1. This sheet, which includes Fig. 1, replaces the original sheet, including Fig. 1. Figs. 1 has been amended as requested by the Examiner to include identifier '11'.

Attachments: 2 Replacement Sheets (Figs 1-2d)
1 Annotated Sheet Showing Changes (Figs. 1)

REMARKS

Claims 24-48 are pending. In the Office Action dated February 26, 2008, the Examiner took the following action: (1) objected to the drawings; (2) rejected claims 47 and 48 under 35 U.S.C. 101 as failing to properly define the process; (3) rejected claims 27 and 38 under 35 U.S.C. 112, second paragraph, as failing to distinctly claim the subject matter; (4) rejected claims 24-25, 31, 33-34, 42 and 44-46 under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as being unpatentable over German Patent No. 200 21 046 to Envicon (“Envicon”); (5) objected to claims 26, 28-30, 32, 35-37, 39-41 and 43 as being dependent upon a rejected base claim but otherwise allowable; and (6) indicated claims 27 and 38 would be allowable if rewritten to overcome the 35 U.S.C. 112, second paragraph rejection.

Applicants do not agree that the claims are anticipated or obvious over the cited references for several reasons. For example, there are several reasons why the reactor shown in the cited reference is not suitable for *anaerobic* waste water treatment in which no air is introduced into the waste water within the reactor, and anaerobic microorganisms within the reactor produce gas. For example, the disclosed reactor does not include any opening or discharge line above the water for discharging gas from the reactor. That the reactor is for aerobic waster water treatment is apparent by the fact that means are provided for introducing air into the reactor, such as the air line 38 or the aerating element 144. However, to secure an early allowance of this application, applicants are amending both of the independent claims to incorporate the subject matter of allowable dependent claims. Applicants are also adding new independent claims with incorporate other allowable dependent claims in the respective independent claims. Specifically, claim 24 is being amended to incorporate the subject matter of dependent claims 29 and 31, and claim 42 is being amended to incorporate the subject matter of dependent claims 43. Additionally, new claim 49 is being added, which includes the limitations of allowable claim 27 incorporated into claim 24, new claim 57 includes the limitations of allowable claim 28 incorporated into claim 24, new claim 67 includes the limitations of allowable claim 39 incorporated into claim 24, new claim 77 includes the limitations of allowable claim 41 incorporated into claim 24, and new claim 87 essentially includes the limitations of allowable claim 41 incorporated into claim 24.

The Examiner is correct that the form of the claims was in need of substantial improvement, and most of them were not in compliance with 35 U.S.C. §112. In amending the claims to substantially improve their form, applicants attempted to avoid broadening the claims, although some redundant elements were deleted. If the Examiner believes any of these amendments broadened the language of any of the independent claims currently in this application to the extent that such claims are no longer allowable, he is kindly requested to telephone the attorney of record, Edward W. Bulchis at (206) 903-8785 so that suitable claim language in compliance with Section 112 can be inserted to place the application in condition for allowance.

All of the claims remaining in the application, namely claims 24-28, 30, 32-42, 44 and 49-94, are clearly allowable. Favorable consideration and a timely Notice of Allowance are earnestly solicited.

Respectfully submitted,

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